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June 22, 2021

District Judge Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

Re: 1:21-cv-03124-KPF  
Kelly v. Whole Foods Market Group, Inc.

Dear District Judge Failla:

This office represents the plaintiff. In accordance with the Court's Individual Rules, the parties request an adjournment of the initial conference and the accompanying submissions.

The original date for the initial conference is June 29, 2021, with the accompanying joint letter and proposed Case Management Plan to be submitted by June 24, 2021.

This action was filed on April 11, 2021. ECF No. 1. Defendant's waiver of service is dated June 22, 2021, which makes August 23, 2021, the deadline to answer or respond. Accordingly, the parties request an adjournment of the initial conference to August 30, 2021, so defendant can evaluate the case and discuss it with the undersigned in advance of the date by which its answer or response is due.

There have been no previous requests for adjournment of the initial conference and accompanying submissions. No previous request was granted or denied. Defendant consents to this request. The proposed new date for the initial conference is seven days after the deadline for answering, with the accompanying submissions to be filed no later than the Thursday of the prior week. This request is submitted at least 48 hours prior to the time by which the submissions are required. Thank you.

Respectfully submitted,

/s/Spencer Sheehan

Application GRANTED. The conference scheduled for June 29, 2021, is hereby ADJOURNED to September 1, 2021, at 2:00 p.m. The conference will be held telephonically. At the scheduled date and time, the parties are to call (888) 363-4749 and enter access code 5123533. The parties' pre-conference submissions (see Dkt. #5), shall be due on or by August 26, 2021.

Dated: June 22, 2021  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE